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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MIGUEL ARENAS,)
)
Defendant.)

No. CR 3-12-71282-MAG

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING APPEARANCE
DATE AND EXCLUDING TIME
PURSUANT TO FED. R. CRIM. P. 5.1 &
18 U.S.C. § 3161**

The parties, by and through counsel, stipulate and agree as follows:

1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until July 9, 2013, and the hearing scheduled for June 28, 2013, vacated.

2. Counsel for the defendant has a scheduling conflict, rendering her unavailable to be present in Court on June 28. In addition, Counsel for the United States and the defendant wish to exchange certain information, and to meet and confer prior to the time of Indictment to discuss a potential resolution of the case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is in the best interest of the defendant to obtain further information, consult with the defendant, and meet with the government prior to Indictment; counsel for the

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government believes that it is in the interests of justice to do so. The parties agree that extending the time limits of Rule 5.1 serves the ends of justice and outweighs the interests of the public and the defendant in a speedy trial, and that failing to extend the time limits would deny counsel for the government and the defendant the reasonable time necessary for continuity of counsel and effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

3. The hearing scheduled for June 28, 2013, should be vacated. The next court appearance in this case shall be July 9, 2013, at 9:30 am before the duty magistrate in San Francisco, for preliminary hearing or indictment. The parties may seek further extension of the time limits in Rule 5.1(c) by stipulation.

SO STIPULATED AND AGREED,

MELINDA HAAG
United States Attorney

DATED: June 26, 2013

/s/
CAROLYN SILANE
Special Assistant United States Attorney

DATED: June 26, 2013

/s/
RANDY SUE POLLOCK
Attorney for Miguel Arenas

~~PROPOSED~~ ORDER

Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. 3161(h)(7), IT IS SO ORDERED.

DATED: June 28, 2013


HON. LAUREL BEELER
United States Magistrate Judge